

# UNITED STATES OF AMERICA

## JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MAY 11 2005

**ENTERED**

**CHAIRMAN:**  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**  
Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Robert A. Cahn  
Executive Attorney

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May 4, 2005

**TO INVOLVED JUDGES**

Re: MDL-1695 -- In re Veeco Instruments Inc. Securities Litigation

(See Attached Schedule of Actions)

Dear Judges:

Presently before the Panel pursuant to 28 U.S.C. § 1407 is a motion to transfer which includes at least one action before you in the above-described docket. The parties will have an opportunity to fully brief the question of transfer and the matter will be considered at a bimonthly Panel hearing session. In the meantime, your jurisdiction continues until any transfer ruling by the Panel becomes effective.

If you have a motion pending – such as a motion to remand to state court (if the action was removed to your court) – you are free to rule on the motion, of course, or wait until the Panel has decided the transfer issue. The latter course may be especially appropriate if the motion raises questions likely to arise in other actions in the transferee court and, in the interest of uniformity, might best be decided there if the Panel orders centralization.

Please feel free to contact our staff in Washington with any questions.

Kindest regards,

Wm. Terrell Hodges  
Chairman

**SCHEDULE OF ACTIONS  
DOCKET NO. 1695  
IN RE VEECO INSTRUMENTS INC. SECURITIES LITIGATION**

**Eastern District of New York**

*Andrew McIntosh, et al. v. Veeco Instruments Inc., et al.*, C.A. No. 2:05-889 (Judge Leonard D. Wexler)  
*Barry Linzer v. Veeco Instruments Inc., et al.*, C.A. No. 2:05-957 (Judge Denis R. Hurley)  
*Bruce Kantor v. Veeco Instruments Inc., et al.*, C.A. No. 2:05-967 (Judge Leonard D. Wexler)  
*George Walker v. Veeco Instruments Inc., et al.*, C.A. No. 2:05-1003 (Judge Joanna Seybert)  
*Philip G. Collins v. Veeco Instruments Inc., et al.*, C.A. No. 2:05-1277 (Judge Leonard D. Wexler)  
*Servaas Holthuizen v. Veeco Instruments Inc., et al.*, C.A. No. 2:05-1337 (Judge Leonard D. Wexler)  
*Gerald J. Vogt, et al. v. Veeco Instruments Inc., et al.*, C.A. No. 2:05-1430 (Judge Leonard D. Wexler)  
*Timothy Joe Grove v. Veeco Instruments Inc., et al.*, C.A. No. 2:05-1552 (Judge Leonard D. Wexler)

**Southern District of New York**

*L.I.S.T. Inc. v. Veeco Instruments Inc., et al.*, C.A. No. 7:05-2189 (Judge Colleen McMahon)  
*Roy P. Kershaw v. Veeco Instruments Inc., et al.*, C.A. No. 7:05-2929 (Judge Colleen McMahon)